

REDACTED-PUBLICLY FILED VERSION

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SOKOLOW, *ET AL.*,

Plaintiffs,

v.

PALESTINIAN LIBERATION ORGANIZATION, *ET AL.*,

Defendants.

04 Civ. 397 (GBD) (RLE)

**DECLARATION OF KENT A. YALOWITZ IN SUPPORT OF
PLAINTIFFS' OBJECTIONS TO THE MAGISTRATE JUDGE'S WRITTEN
ORDER OF JULY 26, 2013 PURSUANT TO FED. R. CIV. P. 72(a)**

KENT A. YALOWITZ, hereby declares pursuant to 28 U.S.C. § 1746 as follows:

1. I am a member of the Bar of this Court and a member of the law firm of Arnold Porter LLP, attorneys for Plaintiff Varda Guetta. I submit this Declaration in support of Plaintiffs' objections to Magistrate Judge Ellis' Written Order, dated July 26, 2013, pursuant to Rule 72(a) of the Federal Rules of Civil Procedure.
2. Attached hereto as Exhibit A is a true and correct copy of Magistrate Judge Ellis's Written Order, dated July 26, 2013.
3. Attached hereto as Exhibit B is a true and correct excerpted copy of the Expert Report of Israel Shrenzel, dated April 10, 2013.
4. Attached hereto as Exhibit C is a true and correct copy of the Statement of Issa Natshe to the Israeli Police, translated from Hebrew to English, dated February 4, 2002. Exhibit C includes: (a) the translated statement; (b) a certification of translation; and (c) the original Hebrew statement.

5. Attached hereto as Exhibit D is a true and correct excerpted copy of the Expert Report of Alon Eviatar, dated June 14, 2013.

6. Attached hereto as Exhibit E is a true and correct copy of an official Palestinian Authority ("PA") publication, entitled "Paying Salaries for the employees has become a burden on the Palestinian Authority," translated from Arabic to English. Exhibit E includes: (a) the translated publication; (b) a certification of translation; and (c) the original Arabic publication.

7. Attached hereto as Exhibit F is a true and correct copy of the PA, Ministry of Social Affairs' Martyr File for [REDACTED], translated from Arabic to English. Exhibit F includes: (a) the translated file; (b) a certification of translation; and (c) the original Arabic file.

8. Attached hereto as Exhibit G is a true and correct copy of the PA, Ministry of Detainees Affairs' File for [REDACTED], translated from Arabic to English. Exhibit G includes: (a) the translated file; (b) a certification of translation; and (c) the original Arabic file.

9. Attached hereto as Exhibit H is a true and correct copy of the PA, Public Security, Department of Organization & Administration's Employment Record for [REDACTED], translated from Arabic to English. Exhibit H includes: (a) the translated file; (b) a certification of translation; and (c) the original Arabic file.

10. Attached hereto as Exhibit I is a true and correct copy of Plaintiffs' First Request for Admissions to Defendants, dated November 21, 2012.

11. Attached hereto as Exhibit J is a true and correct copy of Defendants Objections and Responses to Plaintiffs' First Request for Admissions (to the Mandelkorn Plaintiffs), dated December 21, 2012.

12. Attached hereto as Exhibit K is a true and correct copy of Plaintiffs' Notice to Defendant Palestinian Liberation Organization of Taking Depositions pursuant to Fed. R. Civ. P. 30(b)(6), dated November 28, 2012.

13. Attached hereto as Exhibit L is a true and correct excerpted copy of a hearing transcript, dated February 13, 2013, before Magistrate Judge Ellis in this matter.

14. Attached hereto as Exhibit M is a true and correct copy of Plaintiffs' Letter to Magistrate Judge Ellis, dated May 16, 2013.

15. Attached hereto as Exhibit N is a true and correct copy of *Klieman v. Palestinian Authority*, No. 04 Civ. 1173 (PLF) (JMF) (D.D.C. Feb. 11, 2013), Docket Entry No. 190.

16. Attached hereto as Exhibit O is a true and correct copy of the PA, Ministry of Social Affairs' Martyr File for [REDACTED], translated from Arabic to English. Exhibit O includes: (a) the translated file; (b) a certification of translation; and (c) the original Arabic file.

17. Attached hereto as Exhibit P is a true and correct copy of the Statement of Freij Adwan to the Israeli Police, translated from Hebrew to English, dated April 8, 2002. Exhibit P includes: (a) the translated statement; (b) a certification of translation; and (c) the original Hebrew statement.

18. Attached hereto as Exhibit Q is a true and correct copy of the Guetta Plaintiffs' First Request to Produce Documents and Things, dated October 27, 2011.

19. Attached hereto as Exhibit R is a true and correct copy of the Guetta Plaintiffs' Second Request to Produce Documents and Things, dated November 1, 2011.

20. Attached hereto as Exhibit S is a true and correct copy of Plaintiffs' Pre-Motion Letter to Magistrate Judge Ellis to Compel Defendants to Produce Documents in Response to the First and Second Guetta Document Requests, dated November 19, 2012.

21. Attached hereto as Exhibit T is a true and correct copy of the Guetta Plaintiffs' Third Request to Produce Documents and Things, dated November 21, 2012

22. Attached hereto as Exhibit U is a true and correct copy of Plaintiffs' Letter to Magistrate Judge Ellis, dated June 13, 2013.

23. Attached hereto as Exhibit V is a true and correct copy of an e-mail from Plaintiffs' counsel, Robert J. Tolchin, to Defendants' counsel, dated February 19, 2013, with attachments.

24. Attached hereto as Exhibit W is a true and correct copy of an e-mail from Plaintiffs' counsel, Robert J. Tolchin, to Defendants' counsel, dated May 6, 2013, with attachments.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Kent A. Yalowitz
KENT A. YALOWITZ

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Dated: August 9, 2013
New York, New York